

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

\*

**CRIMINAL NO: 08-280**

**v.**

\*

**SECTION: “ C ”**

\*

**GARY DUKES**

\* \* \*

**FACTUAL BASIS**

Should this matter proceed to trial, the United States would offer the following credible testimony and reliable evidence to prove beyond a reasonable doubt that the defendant, GARY DUKES, was guilty of Count One of the Indictment:

Agents with the Drug Enforcement Administration and officers with the Tangipahoa Parish Sheriff's Department would testify on June 9, 2006, a Hammond Police Department confidential informant (“CI”) placed a series of consensually recorded telephone calls to GARY DUKES to purchase crack cocaine. On that same day, the CI purchased 65.9 net grams of cocaine base (“crack”) from DUKES at a residence in Hammond, Louisiana, for \$1700.00. At trial, the audio recordings of the CI and DUKES negotiating the purchase and perfecting the transaction would be offered into evidence. The CI would testify that DUKES was the individual he was talking to on the phone and that he purchased the crack from DUKES for \$1700.00.

At trial, the government would offer the testimony and laboratory reports of the forensic chemist who analyzed the chemical composition and net weight of the drugs in this case to prove beyond a reasonable doubt that the drug DUKES sold was cocaine base and it had a total net weight of 65.9 grams.

READ AND APPROVED:

\_\_\_\_\_  
EMILY K. GREENFIELD (LA Bar 28587)  
Assistant United States Attorney

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DATE

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Roma Kent ( )  
Counsel for Defendant

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DATE

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Gary Dukes  
Defendant

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DATE